

**RECEIVED
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JUL 28 2006**Docket No. 030712-10
Serial No. 10/670,350
Page 3**REMARKS**

The Office Action of February 14, 2006 was received and reviewed. The Examiner is thanked for reviewing this application and for conducting a personal interview with Applicant's representative on June 23, 2006.

Claims 1-4 are pending for consideration, of which claim 1 is independent.

In the detailed Office Action, claims 1-4 stand rejected under 35 U.S.C. §101 as directed to non-statutory subject matter. The Examiner asserts that the claims are considered to be an abstract representation or software which do not meet the standard set forth in the State Street Bank case of being tangible, useful, and concrete. In response, Applicants have amended the claims, as shown above, to further clarify the present invention by clearly stating the real world result with practical application. As amended, the presently claimed invention meets the requirement of being tangible, useful and concrete, and the rejection is respectfully requested to be reconsidered and withdrawn. The Examiner and SPE Anthony Knight are thanked for their cooperation with Applicant's representative and their assistance in suggesting the amended the language of claim 1 to overcome the §101 rejection.

Claims 1, 2 and 3 stand rejected under 35 U.S.C. §103(a) as unpatentable over Cross II et al. ("Control Structure Diagrams for Ada 95", 1996 - hereafter Cross II) in view of Hendrix et al. ("Visual Support for Incremental Abstraction and Refinement in Ada 95", 1998 - hereafter Hendrix). Finally, claim 4 stands rejected under 35 U.S.C. §103(a) as unpatentable over Cross II in view of Beaudouin-Lafon ("Novel Interaction Techniques for Overlapping Windows", 2001 - hereafter Beaudouin-Lafon). These rejections are respectfully traversed at least for the reasons provided below.

Initially, Applicant notes that in the rejection of claim 4, the Examiner appears to have applied the same rejection as in the Office Action mailed February 16, 2006. However, this seems contradictory to the acknowledgement made on page 9 of the Office Action of May 15, 2006, wherein the Examiner withdrew the rejection. It appears that the Examiner unintentionally recycled substantially all the rejections in the Office Action mailed February 14, 2006. It further appears that at least claim 4 is allowable prior to this Amendment.

In the rejections of claims 1-4 over Cross II and Hendrix, the Examiner interprets Control Structure Diagrams (CSD's) of Cross II to be equivalent to Applicant's "outlines" and the CSD box symbols as shown in Fig. 5 of Cross II as equivalent to Applicant's frames.

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The Examiner then states that Cross II does not teach an outline-processor that has diagram displays that connect the frames by a line, wherein if the inside of a frame is clicked by a mouse, a source of the program therein is outline-displayed. The Examiner then applied Hendrix and alleges that Hendrix do teach an outline processor that has diagram-displays that connect the frames by a line as shown in Fig. 2 of Hendrix. Again, these rejections appear to be identical to the ones in the Office Action mailed February 16, 2006.

In response, Applicant has amended the claims, as shown above, to further clarify the claim language and further distinguish over the cited prior art references. As amended, the pending claims recite providing a graphical presentation of a program shown as diagram-display having a plurality of outline-display frames connected by lines forming an inverted tree hierarchical structure.

The Examiner is thanked for providing a number of definitions for "inverted tree" during the interview. Applicant is in agreement with the Examiner of the meaning of "inverted tree". The point that Applicant would like to make, however, is not about the meaning of "inverted tree", but whether Cross II and Hendrix method of displaying a program is equivalent to Applicant's claimed feature.

Although Cross II and Hendrix disclose a method of displaying a program with multi-level blocks of codes or nested loops identified by vertical lines identifying each nested level of nested loops and a CSD unit symbol identifying a routine or a functional module, and although the method of displaying a program that has nested loops or blocks of codes with a hierarchical structure that can be collapsed or hidden, Cross II and Hendrix does not teach, disclose or suggest providing a graphical presentation of a program shown as diagram-display having a plurality of outline-display frames connected by lines forming an inverted tree hierarchical structure as recited in Applicant's amended claims.

In contrast with amended claim 1 and the illustration in Applicant's Fig. 1, Hendrix's Fig. 2 merely shows multi-level or nested loops identified by vertical lines identifying each nested level of nested loops and a CSD unit symbol identifying a routine or a functional module. That is, the source codes with nested loops shown in Hendrix are made easier to read by using CSD's to label and show structural and control information for each module and to allow control structures, such as loops, to be selectively displayed by hiding or folding portions of nested loops thereby improving the readability of a long program.

Although a hierarchical structure in Hendrix and Cross II is shown, the hierarchical

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structure of nested loops is shown with vertical lines to facilitate the recognition of the depth of each nested level. That is, the hierarchical structure disclosed by Cross II and Hendrix is not at all an inverted tree hierarchical structure of the presently claimed invention wherein the lines are equivalent to branches in a tree connecting to outline-display frames. Applicant respectfully asserts that there is no suggestion or motivation in Hendrix or Cross II to modify the hierarchical structure of nested loops or blocks of codes into an inverted tree hierarchical structure for a diagram-display having a plurality of outline-display frames connected by lines in an inverted tree hierarchical structure as recited in amended claim 1.

Further, Applicant respectfully submits that neither Cross II nor Hendrix teach, discloses or suggest a graphical presentation of a program shown as a plurality of outline-display frames (101, 103, 105) connected by lines forming an inverted tree hierarchical structure, as recited in amended claim 1. Further, the allegation that CSD are equivalent to outlines and SCD boxes are frames does not seem logical in view of the diagram-display having a plurality of outline-display frames connected by lines forming an inverted tree hierarchical structure of Applicant's claimed invention.

Still further, Hendrix and Cross II only show that source codes or modules of source codes are displayed or listed in a sequential manner. That is, Hendrix does not teach, disclose or suggest an inverted tree hierarchical diagram of a program such as shown in Applicant's Fig. 1 or recited in claim 1 of the present invention. For example, Hendrix method does not and cannot show block or frame 105 connected to a higher level block or frame 101 as shown in Fig. 1 of Applicant's disclosure. Likewise, Hendrix does not and cannot show block or frame 103 connected to block or frame 101.

The arguments set forth above with respect to claim 1 are also applicable to the rejection of claims 2-4 over Cross II and Hendrix.

With respect to claim 2, neither Hendrix nor Cross II teach, disclose or suggest an argument frame displayed in vicinity of a respective frame in a displayed program inverted tree hierarchical structure, as amended in claim 2. Applicant respectfully asserts that Fig. 2 of Cross does not show any box/block/frame, if the module of source code in Fig. 2 is considered as equivalent to Applicant's frame.

With respect to the rejection of claim 3, the Examiner alleges that Fig. 3 of Hendrix teaches changing thickness of frame line before and after expansion. However, as previously Fig. 3 of Hendrix merely shows an example of a CSD folding symbol with thick and thin

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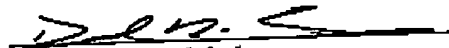
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lines drawn in the same symbol block, and there is no relation between Fig. 3 and Fig. 6 showing the changing in thickness of any lines when the block is expanded. Further, the purpose of showing different line thicknesses in the CSD folding symbol in Fig. 3 appears to have no relation to improving the understandability of the folding symbol.

The requirements for establishing a *prima facie* case of obviousness, as detailed in MPEP § 2143 - 2143.03 (pages 2100-122 - 2100-136), are: first, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference to combine the teachings; second, there must be a reasonable expectation of success; and, finally, the prior art reference (or references when combined) must teach or suggest all of the claim limitations. As Cross II, Hendrix and Beaudouin-LaFon are deficient as discussed above, their combination in the pending §103(a) rejections is improper.

In view of the arguments and amendments set forth above, Applicant respectfully requests reconsideration and withdrawal of the pending rejections, and that the application be passed to issue. If a conference would expedite prosecution of the instant application, the Examiner is hereby invited to telephone the undersigned to arrange such a conference.

Respectfully submitted,


Donald R. Studebaker
Registration No. 32,815

NIXON PEABODY LLP
Suite 900, 401 9th Street, N.W.
Washington, D.C. 20004-2128
(202) 585-8000

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